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**PLANNING COMMISSIONERS**

Robert Benich, Chair	Jerry Dommer, Vice Chair
Joseph Mueller, Commissioner	Wayne Tanda, Commissioner
John McKay, Commissioner	Susan Koepp-Baker, Commissioner
John Moniz, Commissioner	

**PLANNING COMMISSION MEETING**

**FEBRUARY 14, 2012**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

**REGULAR MEETING - 7:00 P.M.**

**\*\*\* A G E N D A \*\*\***

**NOTICE TO THE PUBLIC**

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

## PLANNING COMMISSION AGENDA

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### **OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

### **ORDERS OF THE DAY**

**MINUTES:** January 10, 2012 & January 24, 2012

### **PUBLIC HEARINGS:**

- 1) **10 Minutes** **SUBDIVISION, SD-11-13: SAN GABRIEL-MH DOS:** A request for approval of a 34-lot subdivision of a 7.2 acre site located on the west side of San Gabriel Ave. between San Pedro Ave. and Barrett Ave. The proposed subdivision represents phases 2-4 of the 52-unit Rose Garden/Lone Oak Farm development. The project area is zoned R-1 7,000/PD Single Family Precise development zoning district. (APN 817-76-019, 021 & 022)

**Recommendation:** Open public hearing, approve subdivision

- 2) **20 Minutes** **USE PERMIT, UP-11-06: MONTEREY-AZAR:** A request for approval of a conditional use permit to operate a restaurant serving alcohol (ABC Type 47 license: On-Sale General for Bona Fide Public Eating Place). A conditional use permit is required per the Downtown Specific Plan for a bar ancillary to a restaurant. The proposed use is in an existing building located at 17500 Monterey Rd (APN 726-14-048) in a Central Business District zone. The project is exempt from an environmental assessment per Section 15301, Existing Facilities, of the CEQA guidelines.

**Recommendation:** Open public hearing, recommend approval of conditional use permit subject to the conditions provided in the resolution.

### **OTHER BUSINESS:**

- 3) **30 Minutes** **AWARD AND DISTRIBUTION OF RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDOS) BUILDING ALLOTMENTS:**

**Recommendation:** Adopt Resolution approving the award of building allotments for projects in Small, Micro, Multi-family Rental and Open Market competition categories. A motion to amend the resolution may be considered as a first action to approve changes in the distribution of the building allotment.

## **PLANNING COMMISSION AGENDA**

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**4) 15 Minutes** **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCE) FOURTH QUARTERLY REPORT FOR 2011 INCLUDING REVIEW OF PROJECTS BEHIND SCHEDULE**

**Recommendation:**

1. Staff recommends that the Planning Commission approve the RDCE Quarterly Report by minute action.
2. Refer recommended projects for rescission of building allocations to City Council for hearing.

**5) 15 Minutes** **APPROVE WORK PLAN AND APPOINTMENT OF PLANNING COMMISSION SUBCOMMITTEE TO REVIEW CHANGES TO THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCE) EVALUATION CRITERIA**

**Recommendation:**

1. Approve work plan to consider changes to the RDCE standards and criteria.
2. Appoint two or three members from the Planning Commission to serve on a subcommittee to review and provide recommendations regarding changes to the RDCE standards and criteria.
3. Direct staff to invite other community representatives to participate in a Working Group with the subcommittee as determined by the Planning Commission.
4. Direct the subcommittee to complete its work on the work plan items in time for consideration by the full Planning Commission at a public hearing to be held in April 2012.

**TENTATIVE AGENDA FOR THE FEBRUARY 28, 2012 MEETING:**

- GPA-11-05: City of MH-Downtown Specific Plan-Zoning Text & Block 18
- Transfer of FY Building Allotments between projects
- General Plan Annual Report
- Discuss proposed change of Planning Commission meeting nights beginning in July

**ANNOUNCEMENTS**

**CITY COUNCIL REPORTS**

**ADJOURNMENT**

**PLANNING COMMISSION AGENDA**

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**SPEAKER CARD**

*If you wish to address the Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers, and deliver it to the Deputy City Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Commission, but it is very helpful. As you are called, please walk to the podium to be recognized by the Chairperson. Please speak directly into the microphone while making your comments. Please limit your remarks to three (3) minutes.*

**NOTICE**

**AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17575 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

**NOTICE**

*All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)*